

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: PARAGARD PRODUCTS : MDL DOCKET NO. 2974  
LIABILITY LITIGATION :  
:  
This document relates to: : 1:20-md-02974-LMM  
:  
Felicia Steriti :  
: Civil Action No.: \_\_\_\_\_  
:  
vs. :  
TEVA PHARMACEUTICALS USA, INC.; :  
TEVA WOMEN'S HEALTH, LLC; :  
TEVA BRANDED PHARMACEUTICALS :  
PRODUCTS R&D INC.; THE COOPER :  
COMPANIES, INC.; AND COOPERSURGICAL, INC. :  
:

**SHORT FORM COMPLAINT**

Come(s) now the Plaintiff(s) named below, and for her/their Complaint against the Defendant(s) named below, incorporate(s) the Second Amended Master Personal Injury Complaint (Doc. No. 79), in MDL No. 2974 by reference. Plaintiff(s) further plead(s) as follows:

1. Name of Plaintiff placed with Paragard: Felicia Steriti \_\_\_\_\_

\_\_\_\_\_

2. Name of Plaintiff's Spouse (if a party to the case): N/A \_\_\_\_\_

\_\_\_\_\_

3. If case is brought in a representative capacity, Name of Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

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4. State of Residence of each Plaintiff (including any Plaintiff in a representative capacity) at time of filing of Plaintiff's original complaint: New Hampshire
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5. State of Residence of each Plaintiff at the time of Paragard placement:  
New Hampshire
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6. State of Residence of each Plaintiff at the time of Paragard removal:  
New Hampshire
- 

7. District Court and Division in which personal jurisdiction and venue would be proper:  
U.S. District Court, District of New Hampshire, Carroll Division
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8. Defendants. (Check one or more of the following five (5) Defendants against whom Plaintiff's Complaint is made. The following five (5) Defendants are the only defendants against whom a Short Form Complaint may be filed. No other entity may be added as a defendant in a Short Form Complaint.):

- A. Teva Pharmaceuticals USA, Inc.
- B. Teva Women's Health, LLC
- C. Teva Branded Pharmaceutical Products R&D, Inc.
- D. The Cooper Companies, Inc.
- E. CooperSurgical, Inc.

## 9. Basis of Jurisdiction

- Diversity of Citizenship (28 U.S.C. § 1332(a))
  - Other (if Other, identify below): \_\_\_\_\_
- 

## 10.

Date(s) Plaintiff had Paragard placed (DD/MM/YYYY)	Placing Physician(s) or other Health Care Provider (include City and State)	Date Plaintiff's Paragard was Removed (DD/MM/YYYY)* *If multiple removal(s) or attempted removal procedures, list date of each separately.	Removal Physician(s) or other Health Care Provider (include City and State)** **If multiple removal(s) or attempted removal procedures, list information separately.
04/09/2012	Laconia Family Planing (Laconia, NH)	04/13/2021	Women's Health at Memorial Hospital (North Conway, NH)
		04/27/2021	Women's Health at Memorial Hospital (North Conway, NH)

11. Plaintiff alleges breakage (other than thread or string breakage) of her Paragard upon removal.

- Yes  
 No

12. Brief statement of injury(ies) Plaintiff is claiming:

Plaintiff's Paragard broke upon removal and one arm was retained that had \_\_\_\_\_  
to be removed in a separate procedure.

Plaintiff reserves her right to allege additional injuries and complications specific to her.

13. Product Identification:

- a. Lot Number of Paragard placed in Plaintiff (if now known):  
Unknown at this time.  
\_\_\_\_\_  
b. Did you obtain your Paragard from anyone other than the HealthCare Provider who placed your Paragard:

- Yes  
 No

14. Counts in the Master Complaint brought by Plaintiff(s):

- Count I – Strict Liability / Design Defect  
 Count II – Strict Liability / Failure to Warn  
 Count III – Strict Liability / Manufacturing Defect  
 Count IV – Negligence  
 Count V – Negligence / Design and Manufacturing Defect  
 Count VI – Negligence / Failure to Warn

- Count IX – Negligent Misrepresentation
- Count X – Breach of Express Warranty
- Count XI – Breach of Implied Warranty
- Count XII – Violation of Consumer Protection Laws
- Count XIII – Gross Negligence
- Count XIV – Unjust Enrichment
- Count XV – Punitive Damages
- Count XVI – Loss of Consortium
- Other Count(s) (Please state factual and legal basis for other claims not included in the Master Complaint below):  

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15. “Tolling/Fraudulent Concealment” allegations:

a. Is Plaintiff alleging “Tolling/Fraudulent Concealment”?

- Yes
- No

b. If Plaintiff is alleging “tolling/fraudulent concealment” beyond the facts alleged in the Master Complaint, please state the facts and legal basis applicable to the Plaintiff in support of those allegations below:  

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16. Count VII (Fraud & Deceit) and Count VIII (Fraud by Omission) allegations:

a. Is Plaintiff is bringing a claim under Count VII (Fraud & Deceit), Count VIII (Fraud by Omission), and/or any other claim for fraud or misrepresentation?



Yes



No

b. If Yes, the following information must be provided (in accordance with Federal Rule of Civil Procedure 8 and/or 9, and/or with pleading requirements applicable to Plaintiff's state law claims):

i. The alleged statement(s) of material fact that Plaintiff alleges was false: Paragard was safe for use as a means of long-term birth control and was as safe or safer than other products on the market.

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ii. Who allegedly made the statement: The Defendants.

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iii. To whom the statement was allegedly made: Plaintiff and her healthcare providers.

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iv. The date(s) on which the statement was allegedly made:  
The statements were made on various dates since its approval by the FDA in 1984.

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17. If Plaintiff is bringing any claim for manufacturing defect and alleging facts beyond those contained in the Master Complaint, the following information must be provided:

a. What does Plaintiff allege is the manufacturing defect in her Paragard? N/A

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18. Plaintiff's demand for the relief sought if different than what is alleged in the Master Complaint: N/A

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19. Jury Demand:

- Jury Trial is demanded as to all counts  
 Jury Trial is NOT demanded as to any count

s/ R. Andrew Jones; Stephen Hunt, Jr.  
Attorney(s) for Plaintiff

Address, phone number, email address and Bar information:

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